

TOWN OF DAVIE TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Chief John George/693-8320

SUBJECT: Ordinance

AFFECTED DISTRICT: Townwide

TITLE OF AGENDA ITEM: AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE TOWN OF DAVIE CODE OF ORDINANCES, CHAPTER 4 - ANIMALS, ARTICLE IV - DOGS, SECTION 4-61, ENTITLED "DEFINITIONS" TO CORRECT A SCRIVENERS ERROR; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

REPORT IN BRIEF: To amend Section 4-61, entitled "Definitions" of Article IV, entitled "Dogs". To amend the term vicious dog.

PREVIOUS ACTIONS:

CONCURRENCES:

FISCAL IMPACT: not applicable

RECOMMENDATION(S): Motion to approve ordinance

Attachment(s): ordinance

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE TOWN OF DAVIE CODE OF ORDINANCES, CHAPTER 4 - ANIMALS, ARTICLE IV - DOGS, SECTION 4-61, ENTITLED "DEFINITIONS" TO CORRECT A SCRIVENERS ERROR; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Davie wishes to correct a scrivener's error in the Town's Code of Ordinances.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF DAVIE, FLORIDA, THAT:

SECTION 1. Section 4-61, entitled "Definitions" of Article IV, entitled "Dogs," codified within Chapter 4, entitled "Animals" of the Town's Code of Ordinances, is amended as follows:

Sec. 4-61. Definitions

Vicious dog shall be intended to mean any dog that, according to the records of the division or other animal control or law enforcement authority:

(1) Has, when ~~provoked~~ unprovoked, approached any person in a menacing fashion or apparent attitude of attack upon the streets, sidewalks, or any public grounds or places, provided that such action is attested to in a sworn statement by one (1) or more persons and dutifully investigated by an officer;

SECTION 2. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this ordinance.

SECTION 3. This ordinance shall take effect immediately upon its passage and adoption.

PASSED ON FIRST READING THIS _____ DAY OF _____, 2002

PASSED ON SECOND AND FINAL READING THIS _____ DAY OF _____, 2002

Mayor/Council Member

ATTEST:

Town Clerk

APPROVED THIS _____ DAY OF _____, 2002